

A meeting of the Jasper County Board of Zoning Appeals was held Monday, March 25, 2013 at 7:00pm. in the Commissioners' Room of the Jasper County Courthouse, Rensselaer, Indiana. Members present: Chris Healey, Jim Martin and Daniel Reed. Also present: Mary Scheurich, Director. Absent was: John Korniak, Eric Maple, Todd Sammons, Randle and Sammons, Administrative Attorney; and Kelli Standish, Secretary.

Meeting was called to order by Chris Healey. The Pledge of Allegiance was recited. Mrs. Healey called for the first order of business.

Dan Reed made the motion to approve the February 2013 minutes. Motion was seconded by Jim Martin and carried unanimously.

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Special Exception

Cause#BZA-3-13

Applicant: Byron Ferrell

Location: Sec.1-31-6 – Walker Twp. – St Rd 49 N. of 1000N. W-side

Use: Home Business Type 3

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Public hearing held pursuant to notice published March 15, 2013 in the Rensselaer Republican, a daily newspaper of general circulation printed and published in Jasper County, Indiana; also pursuant to notice to adjacent landowners given by certified mail, return receipts requested. All as shown by the affidavit of Becky Coffey, Clerk of the Rensselaer Republican, and return receipts submitted by the applicant.

Byron (Bud) Ferrell was present and stated that he is nearing retirement from his construction job and would like to operate a small engine and construction tool repair shop in his existing pole barn.

Mary Scheurich stated that this use complies with the Type 3 Home Business section in the UDO.

Chris Healey asked if anyone present had any opposition to the application. There was none.

Jim Martin stated that on the report sent out by the planning and development office it mentions a body shop.

Bud Ferrell replied he is not requesting approval for a body shop, there will be no body work done there.

Dan Reed made the motion to grant approval for the special exception. Motion was seconded by Jim Martin and carried unanimously.

Chairman Healey stated that there is a motion to approve the application, and the board must consider the findings in Article 9, Special Exception 9.14 (7) (a)(i) through (vi).

Chris Healey then read these to the Board:

- i. The proposed special exception is consistent with the purpose of the zoning district and the *Jasper County Comprehensive Plan*; Motion was made by Dan Reed that the special exception met the criteria states in i. Motion was seconded by Jim Martin and carried unanimously.
- ii. The proposed special exception will not be injurious to the public health, safety, morals and general welfare of the community; Motion was made by Jim Martin that the special exception met the criteria states in ii. Motion was seconded by Dan Reed and carried unanimously.
- iii. iii. The proposed special exception is in harmony with all adjacent land uses; Motion was made by Dan Reed that the special exception met the criteria states in iii. Motion was seconded by Jim Martin and carried unanimously.
- iv. iv. The proposed special exception will not alter the character of the district; Motion was made by Jim Martin that the special exception met the criteria states in iv. Motion was seconded by Dan Reed and carried unanimously.
- v. The proposed special exception will not substantially impact property value in an adverse manner; Motion was made by Dan Reed that the special exception met the criteria states in v. Motion was seconded by Jim Martin and carried unanimously.
- vi. no appreciable environmental harm will result from the use allowed by the special exception, or, if such harms could result, such resulting harms are eliminated or reasonably mitigated by best practice measures taken by the applicant or others in relation to the use of the special exception. Motion was made by Jim Martin that the special exception met the criteria states in ii. Motion was seconded by Dan Reed and carried unanimously.

Upon the passage of the findings of facts the motion to approve the special exception carried unanimously.

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Upon motion duly made and seconded, meeting was adjourned.

A TRUE RECORD;

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Chris Healey, President